



June 20, 2007

Subject: The Land Development Ordinance Committee

The Land Development Ordinance Committee (LDOC) met Wednesday, June 20, 2007, at 4 p.m., in the second floor Seminar Room located at The Plaza, 100 W. Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were Jake Alexander, Bill Burgin (Co-chair), George Busby, Mark Lewis (Co-chair), Brian Miller, Rodney Queen and Bill Wagoner.

**Absent:** Karen Alexander, John Casey, Phil Conrad, Steve Fisher, Jeff Smith and Victor Wallace

**Staff Present:** Janet Gapen, Patrick Kennerly, Dan Mikkelson, Preston Mitchell, Joe Morris, David Phillips and Jewell Stokes

**The Meeting was called to order** with Bill Burgin (Co-chair) presiding. The minutes were accepted as published.

Preston Mitchell distributed *portions* of Chapters 15 (15.21 Conditional Districts-Draft 6/13/07) Chapter 5 (Building Types and Standards – General Provisions for House Type - Draft 6/04/07) and Chapter 9 (Subdivision, Streets and Connectivity- Draft 4/16/07)

## CHAPTER SUMMARIES

Bill Burgin announced that there would not be discussion on Chapter 18. Definitions. The definitions will be in the full code book for review upon distribution.

Preston Mitchell began the discussion of a *portion* of Chapter 15 (**15.21 Conditional Districts**). He noted that he had added to (**15.21 A. Purpose**) the five provisions listed at the end of that section that are also included in Chapter 2. This was the only change made to Chapter 15.

Preston continued to a *portion* of Chapter 5 Building types and Standards (**5.2 A. Front Porch**) noting that the change had been made to clear up conflicting text. Any lot less than 40 feet must have a porch.

Preston noted two changes on the *portion* from Chapter 9 Subdivision, Streets, and Connectivity. The first change is under (**9.4 A. Improvements Guarantees**) whereas the last sentence in the first paragraph was changed to read "Upon acceptance of the street(s) and all public utilities,

sidewalks may be guaranteed for an additional period not to exceed two (2) years”. This clarification is consistent with current policy.

The second change is under *(9.6 Street Design and Layout Provisions)* whereas the chart was changed to be more lenient and consistent with the text. The chart originally reading Sidewalk under RR with *Minimum 5 ft. Path* was changed to read *Optional Path.*

David Phillips addressed a portion of Chapter 17. Penalties for Violation (*17.3 A 2 Uncorrected Violations*). David said the only change would be that the third penalty would be raised to \$250 per day.

Bill Burgin led the committee in a discussion on Potential Case Studies to be used to compare the *Old Code* to the *New Code*. The Committee members came up with a list of six case studies to be used as listed:

- 1) Wallace Commons,
- 2) Greens at the Crescent
- 3) Drummond Village
- 4) Country Club Hills, Section 8
- 5) Food Lion Customer Service Support Center on Executive Drive
- 6) Ro Med

At the June 13 meeting, Victor Wallace asked about SRU’s notification letter to West Ridge Place Apartments indicating their ability to provide water to the site. To follow up, Dan Mikkelson checked with SRU. They were unable to find such a letter specifically for West Ridge Place Apartments; however, they reviewed their form letter that is used when such notices are requested. Based on the comments of the LDOC, SRU recommends adding language to their form letter to clarify that water and sewer mains are present to provide service, but that they cannot be evaluated for sufficiency until engineering data, such as maximum flows and fire protection requirements, are provided.

George Busby passed out a self-designed “hand out” for discussion regarding the different review parties of the proposed draft including City Council, LDOC, Public Copy (Web site & L.D. Office), TRC (dry runs), Planning Bd. (dry runs), Legal Review and different entities throughout the City with feedback to LDOC for a rewrite and then Final Draft. He suggested retaining the committee for approximately six months to review the code after implementation.

There was a great deal of discussion but with the final consensus being that City Council will determine the method of achieving the final review process. Preston Mitchell suggested that it be specified in the Adoption Ordinance that this new code will sunset the old code thereby giving an overlap of at least a four-month period.

Bill Burgin reminded the committee members that the next meeting will be Wednesday, June 27, 2007, at 12:00 p.m. at City Hall with lunch being served. The entire code will be edited and passed out at that time. The afternoon will be spent reviewing the case studies with no set time limit. The Committee will meet again one week later for their final meeting.

The meeting was adjourned at 6:00 p.m.

JS